

AN ORDINANCE

2006-06-29-0823

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 13, Block, 1, NCB 2449 from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District.

SECTION 2. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 3. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 4. This Ordinance shall become effective on July 9, 2006.

PASSED AND APPROVED this 29th day of June, 2006.

ATTEST:

Leticia M. Vaca
City Clerk

For M A Y O R

APPROVED AS TO FORM:

For *Leon Guerin*
City Attorney

Agenda Voting Results

Name: Z 2

Date: 06/29/06

Time: 06:44:17 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2006119 (District 5): An Ordinance changing the zoning district boundary from "C-2 NA" (CD-Automobile Repair Shop) Commercial Nonalcoholic Sales District with a Conditional Use for an Automobile Repair Shop to "C-2" Commercial District on Lot 13, Block 1, NCB 2449, 2424 Guadalupe Street as requested by Culebra Meat Market (Roman Inc.), Applicant, for Manuel Ramirez, Owner(s). Staff and Zoning Commission recommend Approval.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2	Not present			
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

CASE NO: Z2006119

Staff and Zoning Commission Recommendation - City Council

City Council Continuance from June 15, 2006

Date: June 29, 2006

Zoning Commission Meeting Date: May 16, 2006

Council District: 5 **Ferguson Map:** 616 A6

Applicant: **Owner:**

Culebra Meat Market (Roman Inc.) Manuel Ramirez

Zoning Request: From "C-2" NA C Commercial Nonalcoholic Sales District with a Conditional Use for Automobile Repair Shop to "C-2" Commercial District

Property Location: Lot 13, Block 1, NCB 2449
2424 Guadalupe Street
Intersection of Guadalupe Street and Zarzamora Street

Proposal: To allow the sale of alcohol

Neighborhood Association: Avenida Guadalupe Association Inc.

Neighborhood Plan: None

Traffic Impact Analysis:
A Traffic Impact Analysis is not required

Staff Recommendation:

Approval

The subject property exists currently as a meat market/convenience store. Surrounding zoning to the north, south and west is predominantly zoned commercial, with some areas zoned residential.

The subject property was previously zoned "B2NA SUP" Business Non Alcoholic Sales District with a special use permit for automobile sales. A zoning case was initiated in 2001 to change the zoning from B2 to B2NA SUP. Subsequent conversion of the zoning code changed that designation to C2NA C General Commercial Non Alcoholic Sales District with a conditional use for automobile sales, with the adoption of the 2001 Unified Development Code (UDC).

The zoning request for a commercial sales district, which would permit the sale of alcohol, would be appropriate at this location. The requested zoning will be utilized by the existing building, a well-maintained facility. This zoning designation would be in character with the surrounding neighborhood, which is designated as C-2 zoning along Zarzamora Street. In addition, a 2005 Urban Land Institute (ULI) report on the Avenida Guadalupe community noted that the intersection of Zarzamora and Guadalupe has the potential to be a regional commercial node in the future. The report stated that community based land uses are encouraged, and the facility's existing function as a local butchery promotes this goal.

(Under the Texas Alcoholic Beverage Code an Alcoholic Beverage License application will be required that may be denied by the Texas Department of Alcoholic Beverage Commission (TABC) if the manner in which the business is operated or the place the business is located is detrimental to the health, safety and welfare of the public. The Code provides opportunities for citizens and government officials to object to the issuance of a license or permit.)

Zoning Commission Recommendation:

VOTE

CASE NO: Z2006119

Staff and Zoning Commission Recommendation - City Council

Approval

CASE MANAGER : David Clear 207-3074

FOR	11
AGAINST	0
ABSTAIN	0
RECUSAL	0

Z2006119

ZONING CASE NO. Z2006119 – May 16, 2006

Applicant: Culebra Meat Market (Roman Inc.)

Zoning Request: "C-2NA" C Commercial Nonalcoholic Sales District with Conditional Use for a automobile repair shop to "C-2" Commercial District.

Raymond Garcia, 107 Greenhaven, representing the applicant, stated they are requesting this change in zoning to allow the sale of alcohol at this existing convenient store.

Staff stated there were 23 notices mailed out to the surrounding property owners, 1 returned in opposition and 0 returned in favor.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Rodriguez and seconded by Commissioner Gadberry to recommend approval.

1. Property is located on Lot 13, Block 1, NCB 2449 at 2424 Guadalupe Street.
2. There were 23 notices mailed, 1 returned in opposition and 0 in favor.
3. Staff recommends approval.

**AYES: Avila, Robbins, Rodriguez, Westheimer, Gadberry, Marshall, Sherrill,
Wright, Martinez, Stribling, Gray**

NAYS: None

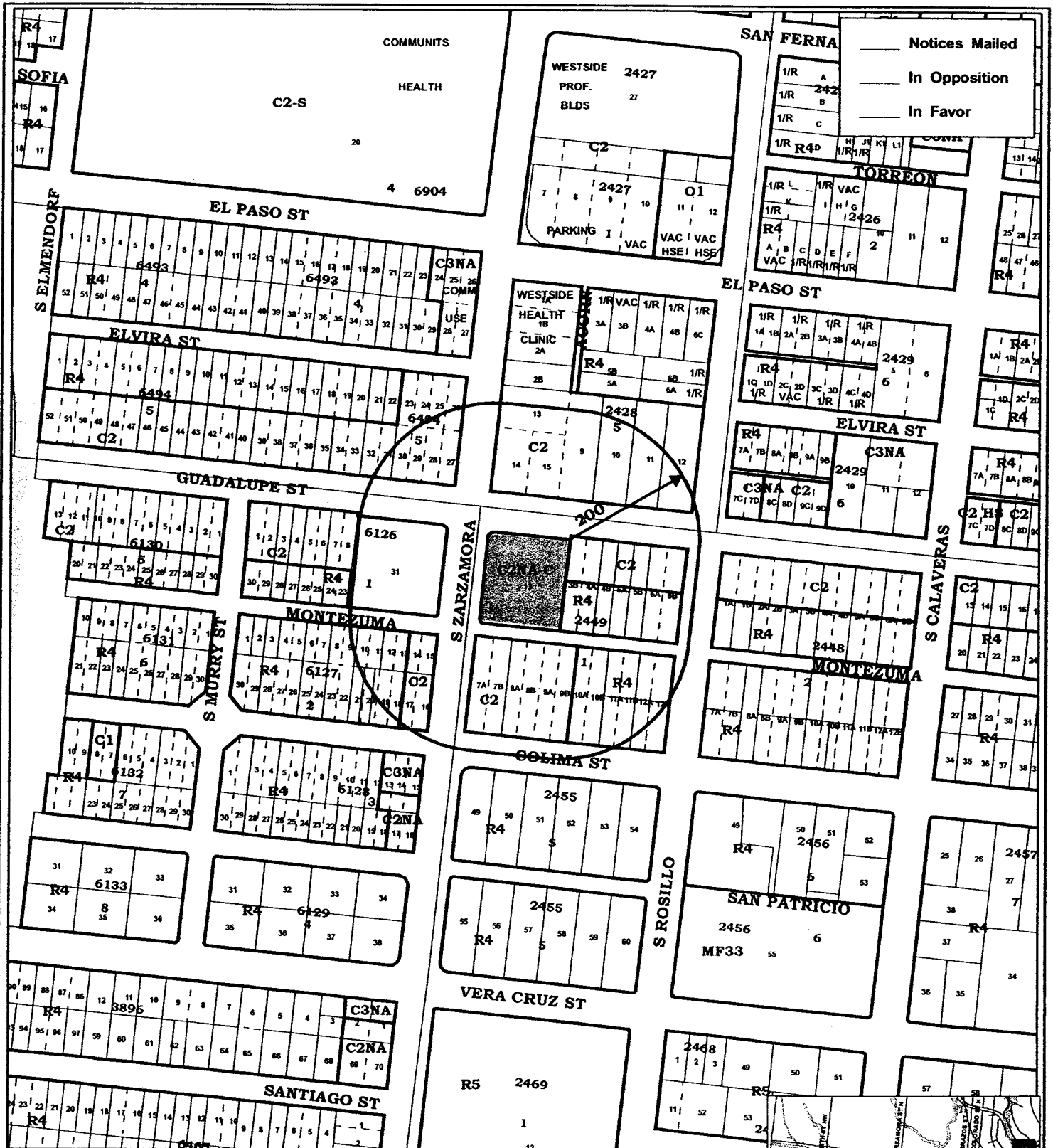
THE MOTION CARRIED

RESULTS OF COUNCIL HEARING June 15, 2006

City Council granted a continuance until June 29, 2006

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.



ZONING CASE: Z2006-119

City Council District No. 5
 Requested Zoning Change
 From "C-2" NA C
 To "C-2"

Date: June 29, 2006
 Scale: 1" = 200'